

**MAYOR AND CITY COUNCIL  
CITY OF SEAT PLEASANT  
REGULAR WORK SESSION  
WEDNESDAY, DECEMBER 8, 2010  
7:00P.M.**

**1. OPENING**

**1.1.1 Call to Order**

Council President Gatling called the meeting to order at 7: 00p.m.

**1.1.2 Roll Call**

Present: Councilmember Latasha Gatling, Mayor Eugene Grant, Councilmember Darrell Hardy, Councilmember Kelly Porter, Councilmember Gerald R. Raynor, Sr., Councilmember Elenora Simms, Councilmember Aretha Stephenson, Councilmember Reveral Yeargin

Staff: Robert Ashton, Acting City Administrator, Dashaun N. Lanham, City Clerk

**1.1.3 Invocation and Pledge of Allegiance:**

The invocation was given by Councilman Porter

**1.1.4. Approval of Agenda**

The agenda was accepted with the following modifications:

- Addition of 5.8 – Council Conference Room Usage.

Council President Gatling requested that 4.3b, 4.3d-4.3f be stricken from the record. It was motioned by Councilmember Simms and seconded by Councilmember Porter to approve the agenda. The motion carried.

**2. PRESENTATIONS:**

**2.1. Feggans Center Project Plans:**

- Mayor Grant stated that he will be presenting the plans to the Feggans Center Project, as he had presented it to the Feggans Center Restoration Committee members and residential committee members. Each councilperson was requested to recommend a resident from their wards for full representation of the city. He named the residents that are currently on the committee. He named the staff members that are represented on the committee.

- Mayor Grant presented the aerial view of the plans in night and day. He stated that the Tot Lot and Basket Ball courts will be located on the site.
- He stated that packages are being prepared for Councilwoman Karen Toles, as we will need to have it rezoned. It is currently zoned as I-2
- He referenced the commercial lot area in question in the Ordinance.
- We have secured the services from Dewberry, Blaylock and
- We will be meeting with Parking & Planning on Thursday, December 9, 2010 to ensure that we are moving in the right direction.
- He has prepared a package to the County Executive asking for a two (2) year grant for two (2) \$750,000 grants.
- We are requesting these monies to ensure that we do not use tax payer monies. He will be asking Karen Toles to support the County Executive budget to grant the monies to the City.
- Councilwoman Gatling stated that if it is approved for rezoning we can exercise eminent domain.
- Mayor Grant stated that the project will be \$31,000,000,000, and Mr. Ashton may have a different figure
- Councilman Yeargin wanted to know that with the about the monies the City can borrow. Mayor Grant stated that we can borrow up to \$5,000,000,000
- Mayor Grant reported the cost of each building below:
- The City Hall will be two floors, 36,000SF with a cost to build of \$4,923,360
- Commercial Building #1 with one floor, 30, 500 SF with a cost to build of \$3,864,350,
- Commercial Building #2 with one floor, 28,400 SF with a cost to build of 3,598,280
- Youth Center has one floor with 12, 600 SF with a cost to build of \$2,049, 849
- There will be four (4) Residential Units with each building having three (3) floors, 16, 800 SF @ \$179.61 per square foot with a building cost \$3,017,448 per building.

### 3. LEGISLATION

- Ordinance O-11-04 Commercial Truck Route was introduced by Councilwoman Elenora Simms and the first reading was declared on Monday, November 1, 2010 and the second reading . The second reading was conducted on Wednesday, December 8, 2010.



- Councilman Porter questioned rather or not the Ordinance would be sanctioning the businesses that are located in the area.
- Councilwoman Simms stated that the purpose of the Ordinance was to address the concern of the residents that are having problems with the travel of the trucks in the area that are damaging walls in the homes. The residents prepared a petition concerning this issue.
- Mayor Grant stated that he posed the same the question during the first reading of the Ordinance O-11-04, and Councilwoman Simms answer was slightly different.
- Councilwoman Simms recommended that the Ordinance O-11-04 be tabled until the amendments of the weight of the trucks are included.
- Ordinance O-11-05 Public Works Fees & Charges was introduced by Councilwoman Elenora Simms and the first reading was declared on Wednesday, December 8, 2010.
- Councilwoman Gatling stated that she doesn't have a problem with the ordinance, but she has a problem with the fees.
- Mayor Grant stated that the research provides that the fees are market rate. We cannot charge excessive fees and, if the case goes to court. We will lose.
- Mr. Ashton stated that the rates are according to GASB rates
- Councilman Porter asked if the fees are in lieu of an infraction.
- Mr. Ashton stated that average fee charged is \$750.00 after abatement
- Mayor Grant stated that the rate of the laborers in the Public Works Department is very low.
- Councilman Porter stated that the biggest concern is the infraction and we were losing completely because of the rate of the infraction. Mr. Ashton stated that infraction cost has been reduced. He stated the infraction cost is \$500.00
- Councilwoman Stephenson said she wanted to know if we are going to be more proactive or reactive in the situation. She feels that we are being too lenient on the violators.
- Ordinance O-11-06 Fiscal Year 2010-2011 Budget Amendment was introduced by the City Council and the first reading was declared on Wednesday, December 08, 2010.

- Councilwoman Simms stated that she spoke with Mr. Ashton regarding the Ordinance. She feels that the Ordinance should be tabled until the work is competitively bid out in accordance with the City Charter.
- Mr. Ashton stated that he feels that the Ordinance is an emergency, and the project manager has assessed the situation.
- Councilwoman Gatling stated that could the emergency because of the low temperatures.
- Councilwoman Simms wanted to know what line item the monies will be deducted.
- Mr. Ashton stated that Mr. Thompson had submitted a recommendation for the monies to be deducted from the Public Works Engineer Services line and the salary line for the vacant position.

#### **4. REPORTS**

##### **4.1. Mayor's Report:**

- Mayor Grant stated the communication has already been developed to Senator Joanne Benson, Karen Toles and the County Executive.
- He stated that when he gives the Council a copy that they prepare their own so that we can come up with a legislative agenda
- We know that you may not get a bond bill or a lot of money, but there are legacy dollars and we can lobby for more monies for the program
- We need to think about designation that we can lobby those in Annapolis. He stated that the Council is the legislators and they need to speak with their colleagues
- His role is to speak with the County Executive, and the White House as the Executive branch of the government.

##### **4.2. City Administrator Report:**

- Robert Ashton, Acting City Administrator Report: Mr. Ashton stated that he has a few pointers that he wanted to discuss.
- Financing of Public Works Vehicles the City Attorney is reviewing the contract for the lease purchase agreement.
- Update on Senior Green Grant-We have six (6) qualifying applicants, Mr. Thompson and Mrs. Talbert visited the homes to observe current appliances. Hip will be visiting homes next week with energy auditor. Lowes will be contracted for the purchase of the appliances. The appliance replacement completion estimated date is December 17, 2010



- Wilhelmina Evans home will be the model home because she was the 1<sup>st</sup> qualifying house; with her permission, as well as hosting a ribbon-cutting ceremony at her home, which the City Council will be invited.
- Councilman Yeargin stated that he had a conversation with Ms. Talbert and she stated that we didn't maximize our benefits. We had six (6) applicants and we could have had twenty (20).
- Mayor Grant stated that in defense to the Administration the monies need to be spent by year end since the monies are remaining from the Legacy grant for 2006 and 2007.
- Solar Panels-Mr. Ashton reported that the plans were amended in the grant and Park & Planning needs to approve the new design of the panels. They are expecting a completion date of March 31, 2011.
- Bond Bill-Mr. Ashton stated that he had an appraisal performed on Feggans Center. The Council gave the blessing and he is awaiting the completion of the appraisal.
- Employee Appreciation Bonus will be deducted from salaries of vacant position for Christmas Bonus. He stated that the Department Heads will get \$50.00 and the employee's will get \$25.00. The total will be \$1,200.00.
- Councilman Raynor wanted to know why the amount could not be the same across the board. Mr. Ashton stated that he was following the process from the past.
- Councilman Porter wanted to know if it will be increased to derive at the amount for the purpose of taxes. He wanted to know if it could be given in the form of gift cards.
- Councilwoman Gatling stated that she was going to recommend the gift cards from Bank of America.
- Council President Gatling requested a motion to approve the Administrator request to provide employees with gift cards as Christmas Bonuses. It was motion by Councilmember Simms and seconded by Councilmember Hardy. The motion carried.
- FOR: Gatling, Hardy, Porter, Raynor, Simms, Stephenson and Yeargin
- AGAINST: None
- ABSTAIN: None
- Multicraft Contract-Mr. Ashton stated that in conjunction with Ordinance O-11-06 the Mr. Sussman has drafted a contract for services.
- Economic Development Consultant-Mr. Ashton stated that per the City Council request the RFP has gone out. He will be scheduling a meeting with the Economic Development Committee



- **Budget Process**-Mr. Ashton stated that he met with the Department Heads on December 7, 2010. He discussed with the Department Heads Quarterly expenditures reports, Performance Measurements and justification, Budget Calendar, Revenues and Grants. The department heads will be submitting their budgets to me by February 1, 2011.
- He will be providing the City Council with the budget calendar on January 1, 2011
- Mayor Grant stated that the Administration will not be providing the City Council with a budget calendar. We will have the budget to the Council on April 1, 2011 in accordance with the City Charter.
- **Tree Lighting Ceremony**-Mr. Ashton stated that we will have the ceremony on Monday, December 13, 2010 at the Public Session with refreshments.

- **Council Committee Reports:**

- **4.3A. Economic Development, Housing & Planning Committee-**

- Councilwoman Simms, Chair of Economic Development, Housing and Planning Committee stated that the recommendation was to do the RFP for an Economic Development specialist. She stated that the Human Resource Officer to develop a job description for the Special Assistant for the Economic Development.

- **4.3C Governmental Affairs & Technology Committee-**

- Councilman Porter, Chair of the Governmental Affairs & Technology Committee stated that the committee met and recommend that John C. Etoh and Associates perform the Internal Audit.
- Councilwoman Stephenson wanted to know why the Finance and Budget committee was not included in the process.
- Councilwoman Gatling stated that she wasn't sure if the audit falls under the Governmental Affairs & Technology Committee, but the Finance & Budget committee should be involved in the process.
- Councilman Porter apologized to Councilwoman Stephenson, but explained that the Audit recommendation was submitted to the City Council when he chaired the Finance & Budget Committee. The committee was meeting to follow-up on the request from last month presentation by the auditor, and the request of the information by Councilwoman Simms.

## 5. NEW BUSINESS

### **5.1. Awareness Signs in Ward IV-**

- Councilman Raynor asked the Clerk to refresh his memory of the request.
- The City Clerk stated that the Ms. Andrews stated to her that the request was to have signs installed in Ward IV to have signs installed with Braille for the handicap to read.
- Councilman Raynor stated that he thought the request was to have signs erected stating blind child in the neighborhood.
- The clerk to draft a letter to the resident to send her request in writing to Councilman Raynor.

### **5.2. Gas over Usage-**

- Councilwoman Simms stated that she had sent a memorandum to request a copy of the gas usage. The report was submitted with a higher usage amount than the Vehicle Take Home Policy of 90 gallons per month.
- She had spoken with Mr. Thompson to verify if the vehicle maintenance machine can program each card not to exceed the 90 gallons in accordance with the Vehicle Take Home Policy. Mr. Thompson said the machine could be programmed. Although, she was told that the staff was not fully trained on the equipment.
- Councilwoman Gatling stated that this isn't a council issue. This should be addressed by the City Administrator, Mr. Thompson and Chief Prue.
- Councilwoman Gatling gave the directive to Mr. Ashton to ensure the Vehicle Maintenance Machine be programmed to stop at the 90 Gallons per month.

### **5.3. Approval of Contract for Administrative Assistant for the Office of the Mayor**

- Councilwoman Gatling read the memorandum regarding the request to ratify the contract for the Administrative Assistant in the Office of the Mayor.
- It was motioned by Councilwoman Simms and second by Councilwoman Stephenson to approve the contract.
- FOR: Gatling, Hardy, Porter, Raynor, Simms, Stephenson and Yeargin
- AGAINST: None
- ABSTAIN: None

### **5.4. Council Procedures for Education Training Budget/Functions:**



- Council President Gatling stated that we need to come up with a procedure regarding the usage of our training budget. The concern has been the allowance of spouses attending events. Councilmember's getting tickets to attend the event and not showing up. She feels the councilperson should reimburse the City for the cost of the event. She stated that there should be an exception when you have a councilperson with a disability.
- There will be a proposal forthcoming to implement a policy.

## **5.5 24 Hour Policing-**

- Mr. Ashton stated that we are going into 24 hour policing and with this comes night differential and Sunday premium.
- The increase of the amount will be deducted from vacant position in their department.
- Mayor Grant stated that he challenge the City Administrator statement this matter. He stated that the issue isn't 24 hour, but the Fair Labor Act, which means if they are working at night and Sunday they should be paid night differential and Sunday premium pay of 25%.
- Mayor Grant stated that when he had become Mayor in 2004 he had increased the taxes by 16% to allow the police department to go 24 hours.
- Mayor Grant further stated that the issue isn't the increase in the monies, but the issue with the law on the Fair Labor Standard Act.
- Councilwoman Gatling stated will the schedule rotate and she hopes that it will be fair. It is not her responsibility to micro manage or write schedules.
- Councilwoman Simms stated that she wanted to know how come this has not come before the Council for the increase.
- Mayor Grant stated that the Chief wasn't aware until an officer brought it to his attention after he changed the schedules.
- Councilwoman Stephenson sanctioned what Mayor Grant has stated about the Chief.

## **5.6. Handicapped Parking Request:**

- Council President Gatling read the e-mail from Ms. Battle requesting three handicap parking spaces on 70<sup>th</sup> Street.
- Mayor Grant stated that he will repeat what he said before that there is a physical handicap and a disability.
- Mayor Grant stated that everyone knows that Ms. Battle is one of his greatest supporters. However, he doesn't think the Council should approve the request.



- He stated that we live in a community with many African Americans that are suffering with diabetes. However, when the request was approved in the past it was based a physical handicap.
- Councilwoman Gatling asked the council; how do you want to proceed on the request. It was motion by Councilmember Simms and seconded by Councilman Raynor to deny the request. The motion carried.
- FOR: Gatling, Hardy, Raynor and Simms
- AGAINST: Yeargin
- ABSTAIN: Porter and Stephenson
- Council President Gatling requested that the City Clerk prepare the denial letter.

### **5.7 Holiday Contribution by Fred Sussman**

- Council President Gatling stated that she and Mayor Grant received an e-mail from him stating that he wanted to make a contribution to a non- profit organization or a school in the City.
- She feels that the money should go the Seat Pleasant Elementary School.
- Councilwoman Simms stated the Eastern Avenue Apartments for Volunteers of America.
- Mayor Grant stated that we should give him three (3) recommendations and allow him to choose.
- Councilwoman Gatling stated that she needs the council to send their recommendation to her by Thursday, December 9, 2010. If she does not have the recommendations by Friday, December 10, 2010. She will forward her recommendations.

### **5.8. Council Conference Room Usage**

- Councilwoman Simms stated the staff is growing and we have a Human Resource Officer that needs her own office for personnel purposes.
- Councilwoman Gatling stated that she had this discussion with Mr. Ashton a few months ago regarding the Human Resource Officer needs for an office, and he has not followed the recommendation
- Councilman Yeargin stated that he doesn't agree with the release of the conference room. He would like to see a blue print.
- Councilwoman Stephenson stated that she is concerned about losing the usage of the conference room.

- Councilman Hardy, Councilwoman Gatling, Councilwoman Simms, Councilman Porter and Councilman Raynor stated that they are for the move of the conference room being converted into office space
- Mayor Grant stated the Council computer can be placed in the back of Chambers in a locked cabinet. He can have a partition placed in the back of the Council Chambers to create an office type setting.

## **6. UNFINISHED BUSINESS:**

### **6.1. Update on Internal Audit**


- Councilwoman Gatling asked was the consensus of the Council to approve a contract for John Etoh to perform the Internal Audit
- The Council agreed to the contract for the Internal Audit with John Etoh.

## **7. ANNOUNCEMENT**

7.1. Public Session, Monday, December 12, 2010 at 7:00p.m., Council Chambers

**ADJOURN**-It was motioned by Councilmember Stephenson and seconded by Councilmember Raynor to adjourn the meeting. The motion carried. The meeting adjourned at 9:16 p.m.

Submitted by,

  
Dashaun N. Lanham  
City Clerk